

HOUSE BILL 2647

By Cooper B

AN ACT to amend Tennessee Code Annotated, Section 49-7-134, relative to reduction in force procedures for public higher education employees governed by the board of trustees of the University of Tennessee and the board of regents of the state university and community system.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-7-134(4), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(4) In determining the order of layoffs, length of service at the institution and total state service shall be the predominant factors. Departmental service shall be counted in accordance with Tennessee Code Annotated, Section 8-30-320(a)(2). Additionally, functional needs of the unit in selecting the affected employees and the qualifications needed to perform the remaining duties of the affected unit may be considered as supplementary factors;

SECTION 2. Tennessee Code Annotated, Section 49-7-134(5), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(5) Require written notification to any affected employee of a reduction in force ninety (90) days in advance. In lieu of notice of separation, equivalent pay and certain benefits, including the employer portion of insurance payments for a maximum of ninety (90) days following the initial notice of layoff and longevity pay, if the employee would have otherwise been entitled to the longevity pay during the ninety (90) days following the initial notice of layoff, may be provided. The ninety-day notice or equivalent pay and benefits in lieu of notice shall be in addition to payment for the employee's unused annual and compensatory time, if applicable;

SECTION 3. Tennessee Code Annotated, Section 49-7-134, is amended by adding the following language as a new subdivision:

(7) Maintain a layoff list for purposes of establishing an order of recall as per the provision; and of Tennessee Code Annotated, Section 8-30-322.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.